

2012

# REDISTRICTING. STATE SENATE DISTRICTS.

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**REDISTRICTING. STATE SENATE DISTRICTS. REFERENDUM.**

- A “Yes” vote approves, and a “No” vote rejects, new State Senate districts drawn by the Citizens Redistricting Commission.
- If the new districts are rejected, the State Senate district boundary lines will be adjusted by officials supervised by the California Supreme Court.
- State Senate districts are revised every 10 years following the federal census.

**Summary of Legislative Analyst’s Estimate of Net State and Local Government Fiscal Impact:**

- If the voters vote “yes” and approve the state Senate district maps certified by the Citizens Redistricting Commission, there would be no fiscal effect on state or local governments.
- If the voters vote “no” and reject the state Senate district maps certified by the Citizens Redistricting Commission, the state would incur a one-time cost of about \$500,000 to establish new Senate districts. Counties would incur one-time costs of about \$500,000 statewide to develop new precinct maps and related election materials for the new districts.

**ANALYSIS BY THE LEGISLATIVE ANALYST****BACKGROUND**

**California Legislature: Senate and Assembly.** California is divided into 40 state Senate districts, with one Senator representing each Senate district. California also is divided into 80 state Assembly districts, with one Assembly Member representing each Assembly district. The State Constitution requires each Senate and Assembly district to contain approximately the same number of residents as other Senate and Assembly districts.

**Determining District Boundaries.** Every ten years, after the federal census counts the number of people living in California, the boundary lines of the Senate, Assembly, Board of Equalization, and Congressional districts are adjusted. Prior to 2008, the Legislature was responsible for adjusting these district boundaries. In 2008 and 2010, the state’s voters approved Propositions 11 and 20, respectively, transferring the responsibility for determining these district boundaries to a new Citizens Redistricting Commission.

**Citizens Redistricting Commission.** The Constitution requires that the commission have 14 members, comprised of three groups of registered voters—5 who are registered with the largest political party in the state, 5 who are registered with the second largest political party in the state, and 4 who are not registered with either of these parties. The nearby boxes summarize (1) the process used to select commissioners and (2) the criteria the Constitution requires commissioners to consider when determining district boundaries. Actions by the commission to adopt (or

“certify”) district boundaries require the approval of nine commissioners, including at least three “yes” votes from each of the three groups of commissioners.

**The Process for Selecting Citizens Redistricting Commissioners**

Every ten years, 14 commissioners are selected pursuant to this three-step process:

- **Developing the Applicant Pool.** Any registered California voter may apply. The State Auditor removes applicants from the pool if they have certain conflicts of interest, changed their political party affiliation during the past five years, or did not vote in at least two of the last three general elections.
- **Narrowing the Applicant Pool.** After reviewing applicants’ analytical skills, impartiality, and appreciation of California’s diversity, three state auditors select the 60 most qualified applicants. Legislative leaders then may strike up to 24 names from the applicant pool.
- **Selecting Commissioners.** From the remaining applicants, the State Auditor randomly draws the names of the first eight commissioners. These commissioners then select the final six commissioners from the narrowed applicant pool.

### Key Constitutional Criteria for Drawing Districts

When drawing new district maps, the State Constitution specifies that the commission may not consider political parties, incumbents, or political candidates. To the extent possible, the Constitution requires the commission to establish districts that meet the following criteria (listed in priority order):

1. Are reasonably equal in population.
2. Comply with the federal Voting Rights Act.
3. Are geographically contiguous.
4. Minimize the division of any city, county, city and county, local neighborhood, or local community of interest.
5. Are geographically compact.
6. Comprise Senate districts of two whole, complete, and adjacent Assembly districts.

**Referendum.** The Constitution allows voters to challenge district maps certified by the commission through the referendum process. In order to qualify a referendum for the ballot, proponents must submit petitions signed by a specified number of registered voters. A challenged map goes into effect if it is approved by a majority of the state's voters. If a referendum is rejected by the state's voters, the district map does not go into effect and the California Supreme Court oversees development of a new map.

**Certified District Maps.** In August 2011, the commission certified a set of maps establishing the boundaries for the Senate, Assembly, Board of Equalization, and Congressional districts. In November 2011, proponents submitted signatures in support of a referendum of the certified Senate district maps. Proponents petitioned the California Supreme Court to determine which maps would be used in the June primary and November general elections if the referendum qualified for the ballot. The court found that the certified Senate district maps "appear to comply with all of the constitutionally mandated criteria set forth in the California Constitution," and ruled that they were to be used in the June 2012 primary election and November 2012 general election.

### PROPOSAL

This referendum allows the voters to approve or reject the Senate district boundaries certified by the Citizens Redistricting Commission. (The Assembly, Board of Equalization, and Congressional district boundaries certified by the commission are *not* subject to the referendum.) Copies of the certified Senate district maps are included in the back of this voter information guide. A "yes" vote would approve these districts and a "no" vote would reject them.

**If Voters Vote "Yes."** The Senate district boundaries certified by the commission would be used until the commission establishes new boundaries based on the 2020 federal census.

**If Voters Vote "No."** The California Supreme Court would appoint "special masters" to establish new Senate district boundaries in accordance with the redistricting criteria specified in the Constitution. (In the past, the court has appointed retired judges to serve as special masters.) The court would certify the new Senate district boundaries. The new boundaries would be used in future elections until the commission establishes new boundaries based on the 2020 federal census.

### FISCAL EFFECTS

If the voters vote "yes" and approve the Senate district maps certified by the commission, there would be no effect on state or local governments.

If the voters vote "no" and reject the Senate district maps certified by the commission, the California Supreme Court would appoint special masters to establish new Senate district boundaries. This would result in a one-time cost to the state of about **\$500,000**. In addition, counties would incur one-time costs of about **\$500,000** statewide to develop new precinct maps and related election materials for the districts.

★ **ARGUMENT IN FAVOR OF PROPOSITION 40** ★

**YES ON 40 PROTECTS THE VOTER-APPROVED INDEPENDENT CITIZENS REDISTRICTING COMMISSION**

A YES vote on Prop. 40 means that the State Senate maps drawn by the voter-approved independent Citizens Redistricting Commission will remain in place.

A NO vote on Prop. 40 gives the politicians an opportunity to overturn the fair districts drawn by the independent Commission—costing taxpayers hundreds of thousands of dollars in the process.

**PROP. 40 IS A SIMPLE CHOICE BETWEEN THE VOTER-APPROVED CITIZENS COMMISSION AND SELF-INTERESTED POLITICIANS**

In 2008, California voters approved Proposition 11, which created the independent Citizens Redistricting Commission to draw the district maps for the State Senate and State Assembly. Before Prop. 11, the politicians in the state Legislature drew their own uncompetitive districts, virtually guaranteeing themselves re-election.

Now, a small group of Sacramento politicians is unhappy with the results of the State Senate maps drawn by the independent Commission. These politicians are using this referendum to try to get their uncompetitive districts back.

**THE POLITICIANS HAVE ALREADY FAILED IN COURT**

When the same politicians tried a lawsuit against the State Senate maps, the California Supreme Court ruled unanimously against them:

“ . . . not only do the Commission-certified Senate districts appear to comply with all of the constitutionally mandated criteria set forth in California Constitution, article XXI, the Commission-certified Senate districts also are a product of what generally appears to have been an open, transparent and nonpartisan redistricting process as called for by the current provisions of article XXI.” *Vandermost v. Bowen* (2012)

We welcome you to read the whole ruling:

[www.courts.ca.gov/opinions/archive/S198387.PDF](http://www.courts.ca.gov/opinions/archive/S198387.PDF)

**YES ON PROPOSITION 40 UPHOLDS THE WILL OF CALIFORNIA VOTERS**

California voters have voted three times in the last four years to have district maps drawn by an independent Commission, not the politicians:

- Yes on Proposition 11 (2008): created the independent Citizens Redistricting Commission to draw the maps for the State Assembly and State Senate
- Yes on Proposition 20 (2010): extended Prop. 11’s reforms to California’s Congressional districts
- No on Proposition 27 (2010): rejected politicians’ attempt to eliminate the independent Commission and give the power to draw their own legislative districts back to the politicians

**YES ON PROPOSITION 40—HOLDS POLITICIANS ACCOUNTABLE**

The passage of Proposition 11 and Proposition 20 and the defeat of Proposition 27 created a fair redistricting process that doesn’t involve Sacramento politicians!

Because of these voter-approved reforms, for the first time in decades, the independent Commission drew fair districts for state legislators and Congress, starting with the 2012 elections.

These redistricting reforms have put an end to political backroom deals by ensuring the process is transparent and open to the public. And, politicians are no longer guaranteed re-election, but are held accountable to voters and have to respond to constituent needs.

“The Commission took politicians out of the process and returned power to the voters.”—John Kabateck, Executive Director, National Federation of Independent Business/California

**VOTE YES ON PROPOSITION 40—STOP POLITICIANS FROM OVERTURNING VOTER-APPROVED ELECTION REFORM**

[www.HoldPoliticiansAccountable.org](http://www.HoldPoliticiansAccountable.org)

**JENNIFER A. WAGGONER**, President  
League of Women Voters of California

**DAVID PACHECO**, President  
AARP California

**ALLAN ZAREMBERG**, President  
California Chamber of Commerce

★ **REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 40** ★

As sponsors of Proposition 40, our intention was to overturn the commission’s State Senate districts for 2012. However, due to the State Supreme Court’s ruling that kept these districts in place for 2012, we have suspended our campaign and no longer seek a NO vote.

**JULIE VANDERMOST**, Sponsor  
Proposition 40

★ ARGUMENT AGAINST PROPOSITION 40 ★

As the Official Sponsor of Proposition 40, our intention was to make sure its qualification for the ballot would stop the current Senate District lines from being implemented in 2012. The Supreme Court reviewed the process and intervened to keep district lines in place. With the court's action, this measure is not needed and we are no longer asking for a NO vote.

**JULIE VANDERMOST**, Sponsor  
Proposition 40

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 40 ★

A YES VOTE ON PROP. 40 IS STILL NECESSARY TO PROTECT THE VOTER-APPROVED INDEPENDENT CITIZENS REDISTRICTING COMMISSION

Voters still need to vote YES on PROP. 40 to ensure the State Senate maps drawn by the voter-approved independent Citizens Redistricting Commission will remain in place—even though the sponsors of this referendum have indicated above that they are no longer asking for a “No” vote.

Once a referendum qualifies for the ballot, it is impossible to remove it—even if backers abandon the measure, as they did above.

PROP. 40 IS A SIMPLE CHOICE BETWEEN A COSTLY ALTERNATIVE PROCESS AND PROTECTING THE VOTER-APPROVED CITIZENS COMMISSION

Voting YES on 40:

- PROTECTS THE STATE SENATE MAPS drawn by the voter-approved independent Citizens Redistricting Commission.
- SAVES TAXPAYERS hundreds of thousands of dollars.
- HOLDS POLITICIANS ACCOUNTABLE: With district lines drawn by an independent citizens commission, politicians are no longer guaranteed re-election, but are held accountable to voters and have to respond to constituent needs.

- UPHOLDS THE WILL OF VOTERS: Californians have voted three times in the last four years to have an independent commission draw district maps—NOT the politicians.

A “No” vote on Prop. 40 would overturn the fair districts drawn by the independent Commission—and allow the politicians a chance to once again influence the redistricting process for their own gain.

YES ON PROP. 40

Please join us and a broad coalition of good government, business, senior advocacy and civil rights groups in voting YES on Prop. 40.

[www.HoldPoliticiansAccountable.org](http://www.HoldPoliticiansAccountable.org)

**KATHAY FENG**, Executive Director  
California Common Cause

**JOHN KABATECK**, Executive Director  
National Federation of Independent Business/California

**GARY TOEBBEN**, President  
Los Angeles Area Chamber of Commerce



**PROPOSITION 40**

The Statewide Senate Map certified by the Citizens Redistricting Commission on August 15, 2011, is submitted to the people as a referendum in accordance with subdivision (i) of Section 2 of Article XXI of the California Constitution.

**PROPOSED LAW**

**FILED**  
in the office of the Secretary of State  
of the State of California

AUG 15 2011

**Resolution**  
**California Citizens Redistricting Commission**  
**Certification of Statewide Senate Map**

August 15, 2011

Whereas, on July 29, 2011 the California Citizens Redistricting Commission (Commission) voted to approve for posting and public comment the statewide Senate Map (Senate Map) referred to as the preliminary final Senate Map; and,

Whereas, on August 15, 2011, pursuant to Article XXI, Section 2(c)(5) of the California Constitution, the Commission voted to adopt as final the Senate Map, identified by crc\_20110815\_senate\_certified\_statewide.zip and secure hash algorithm (SHA-1) number 14cd4e126ddc5bdce946f67376574918f3082d6b.

Now, therefore, be it resolved, that pursuant to Article XXI, Section 2 (g) of the California Constitution, the Senate Map, identified with the above referenced SHA -1 is hereby certified by the Commission and shall be delivered forthwith to the California Secretary of State; and,

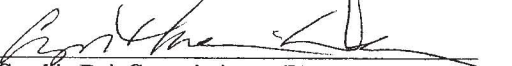
Resolved further, that the members of the Commission have affixed their signatures to this Resolution.

  
Gabino Aguirre, Commissioner (D)

  
Angelo Ancheta, Commissioner (D)

  
Vincent Barabba, Commissioner (R)


  
Maria Blanco, Commissioner (D)

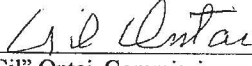
  
Cynthia Dai, Commissioner (D)

  
Michelle DiGuilio, Commissioner (DTS)

  
Jodie Filkins Webber, Commissioner (R)

  
Stanley Forbes, Commissioner (DTS)


  
Connie Galambos-Malloy, Commissioner (DTS)

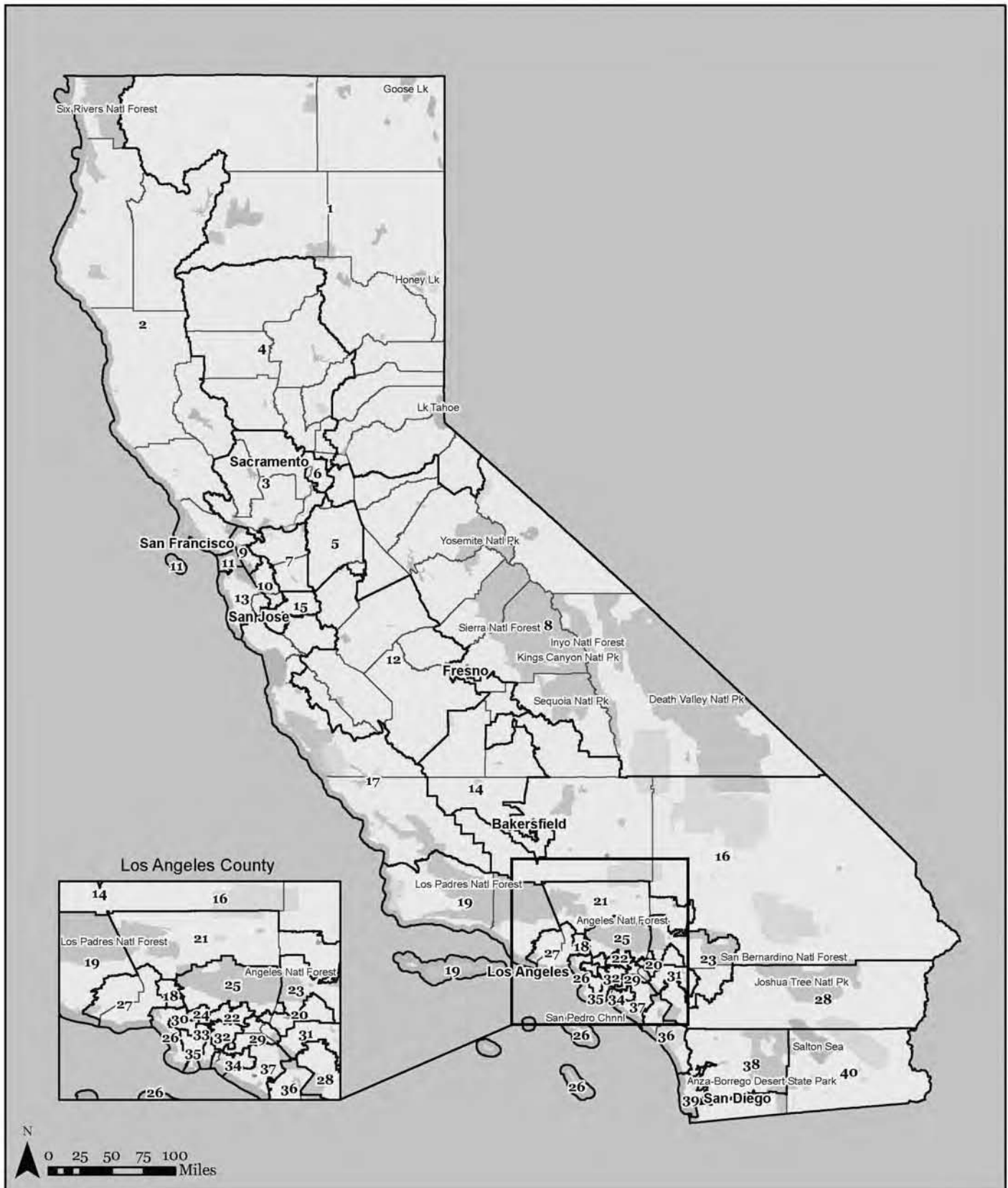
  
Lilbert "Gil" Ontai, Commissioner (R)

  
M. Andre Parvenu, Commissioner (DTS)

  
Jeanne Raya, Commissioner (D)

  
Michael Ward, Commissioner (R)

  
Peter Yao, Commissioner (R)



California State Senate Districts



California State Senate District 1



California State Senate District 2

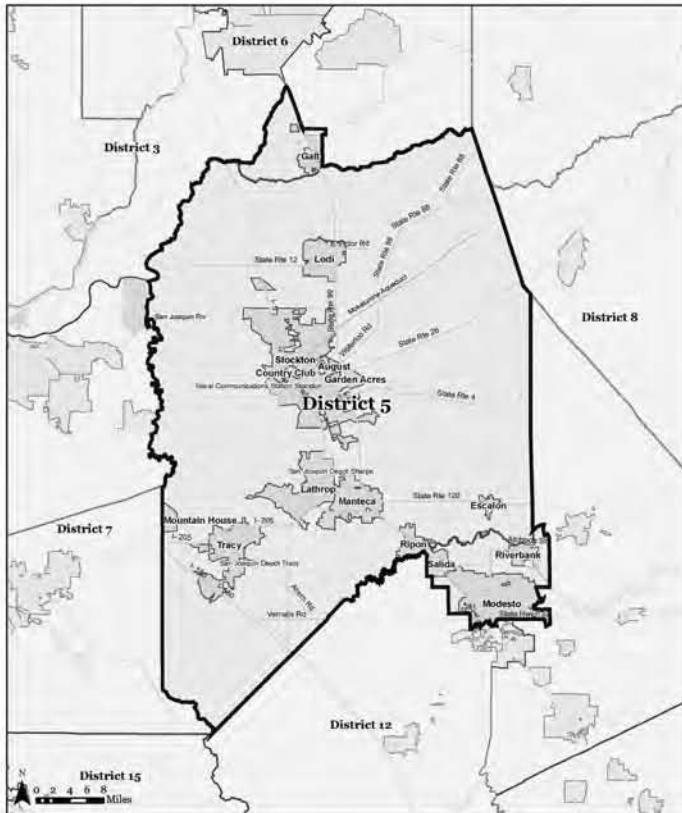


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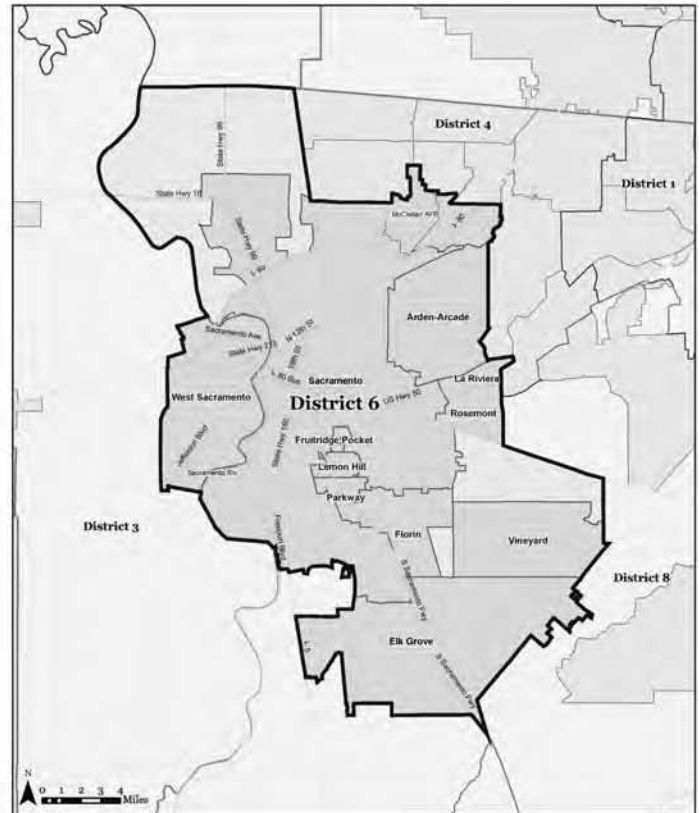


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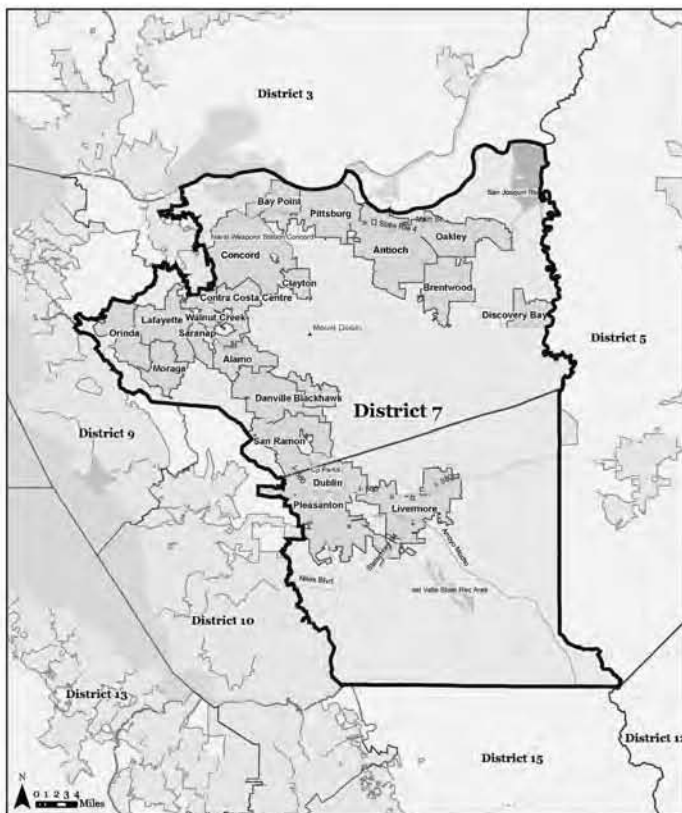




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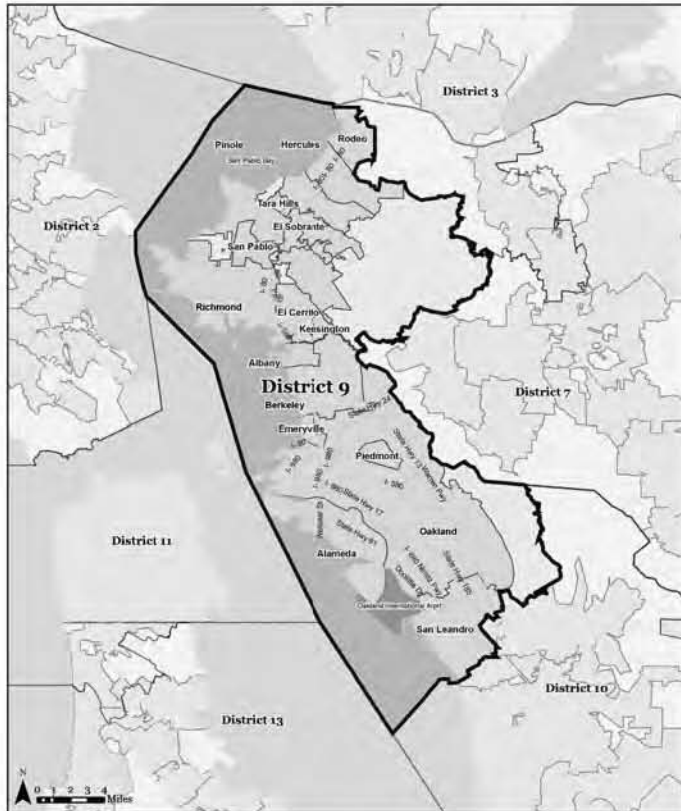
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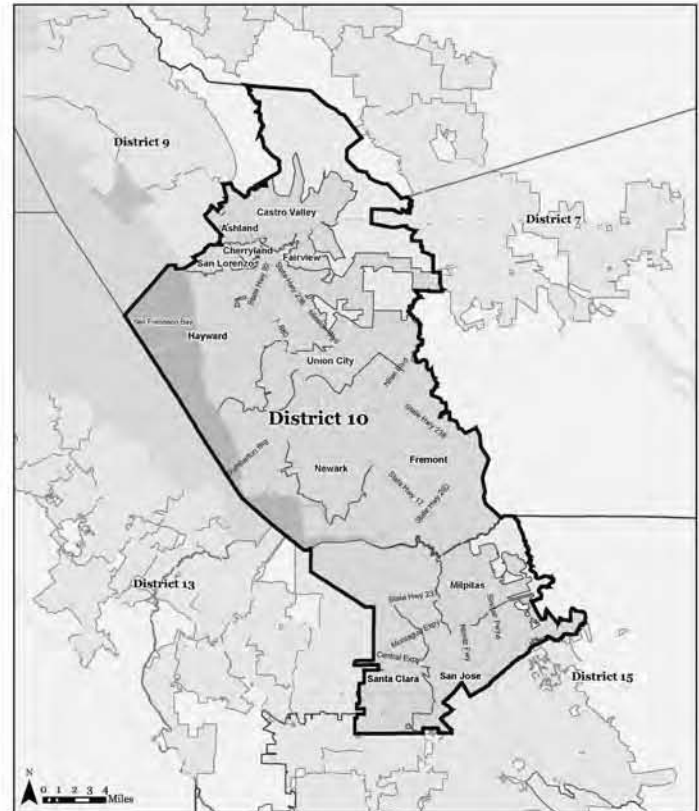
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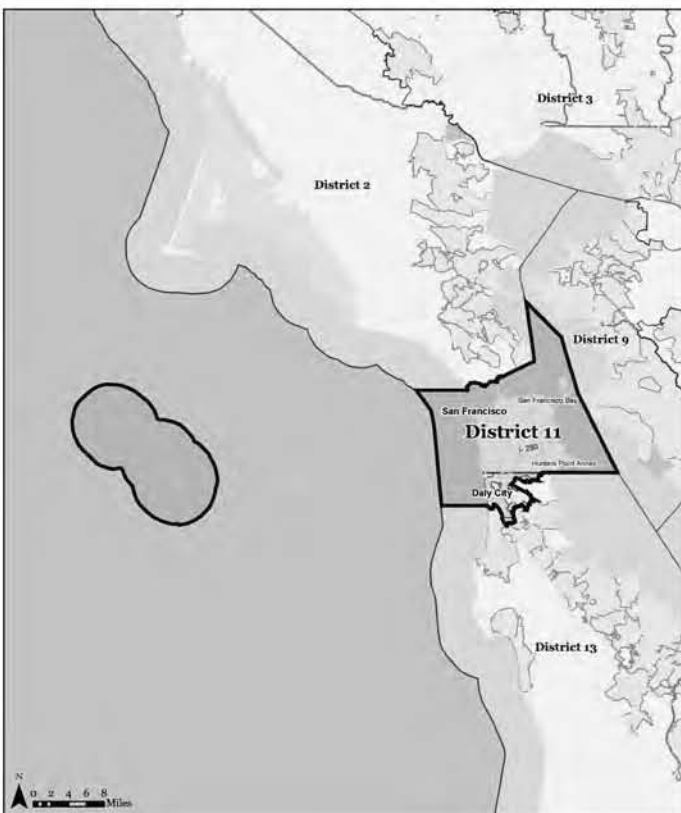
California State Senate District 8



California State Senate District 9



California State Senate District 10



California State Senate District 11

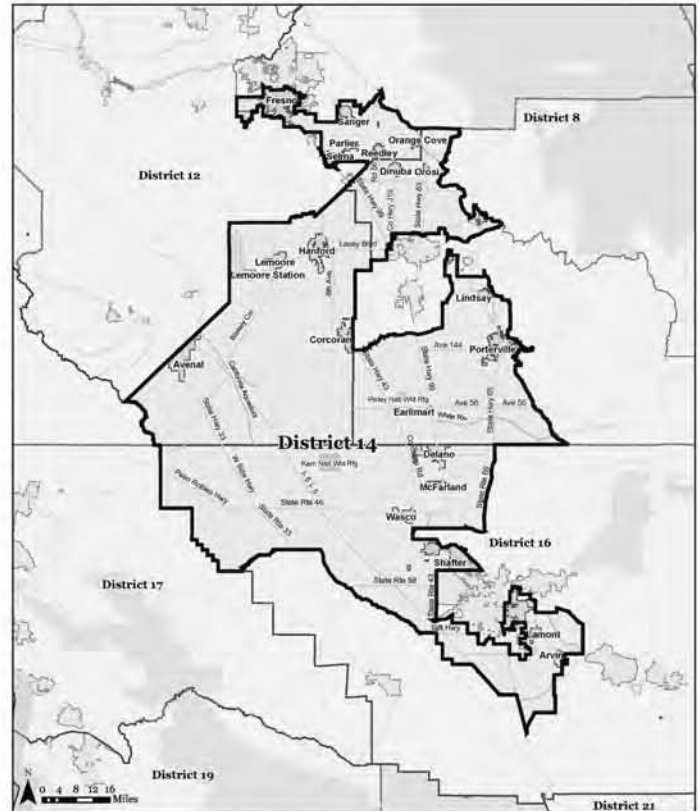


California State Senate District 12





California State Senate District 13



California State Senate District 14



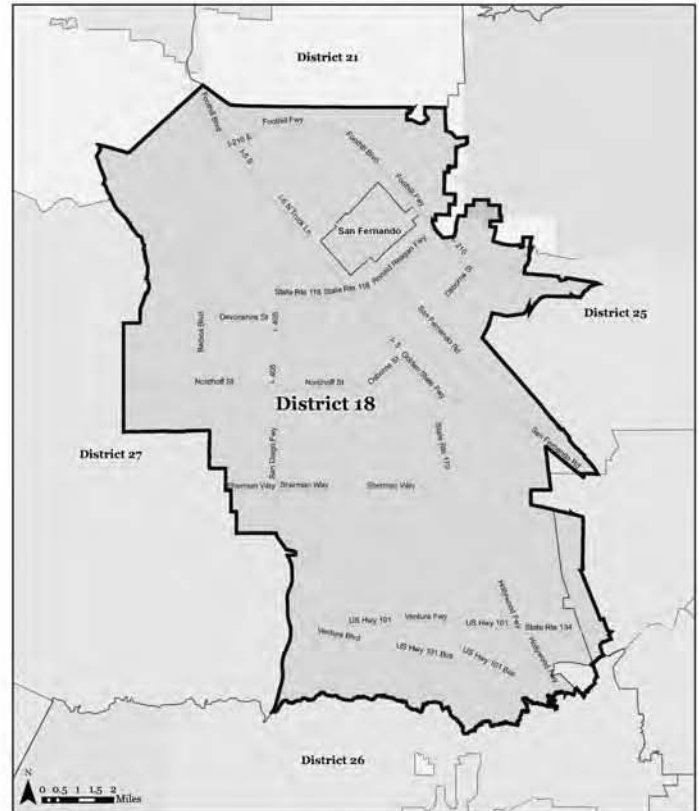
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California State Senate District 16



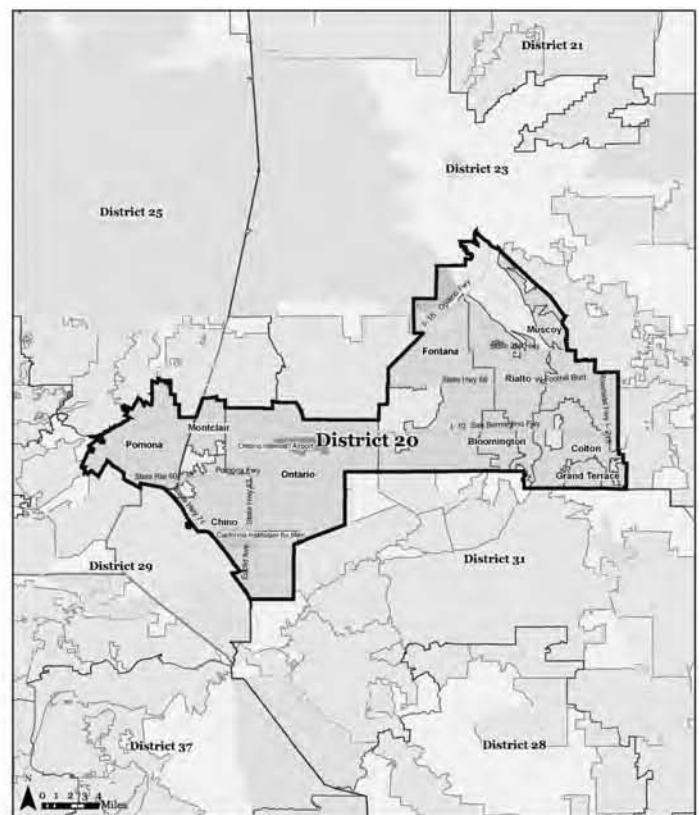
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California State Senate District 18



California State Senate District 19

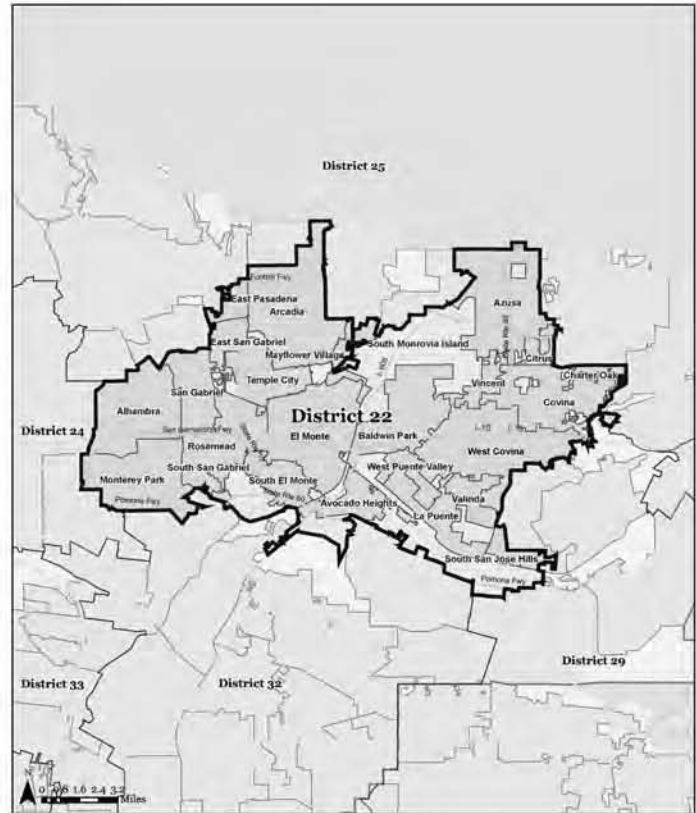


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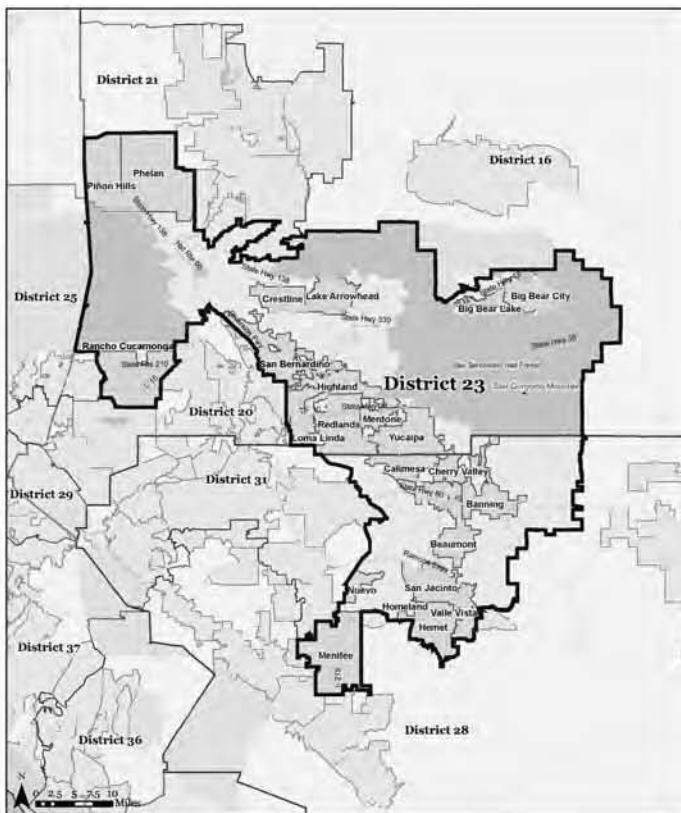




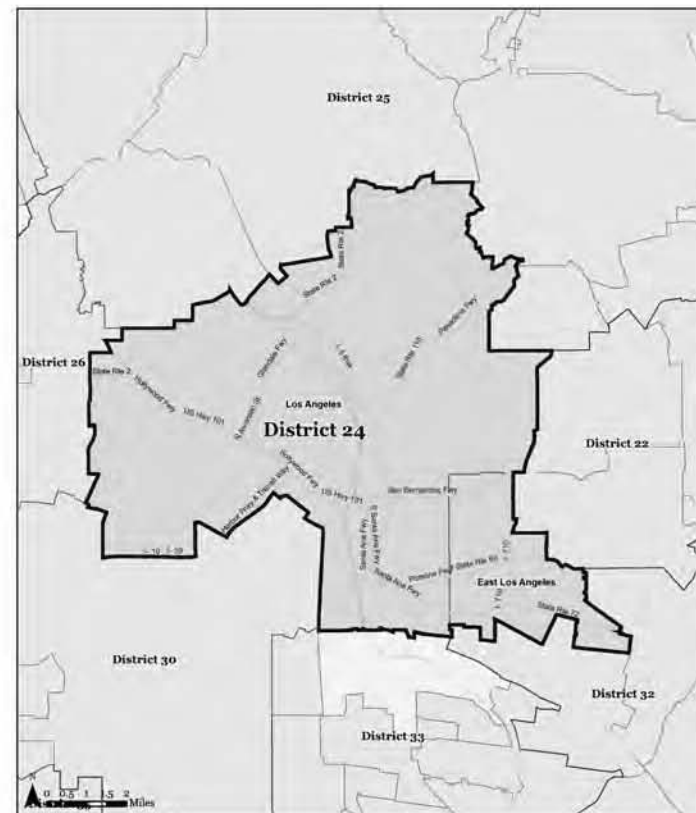
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California State Senate District 22



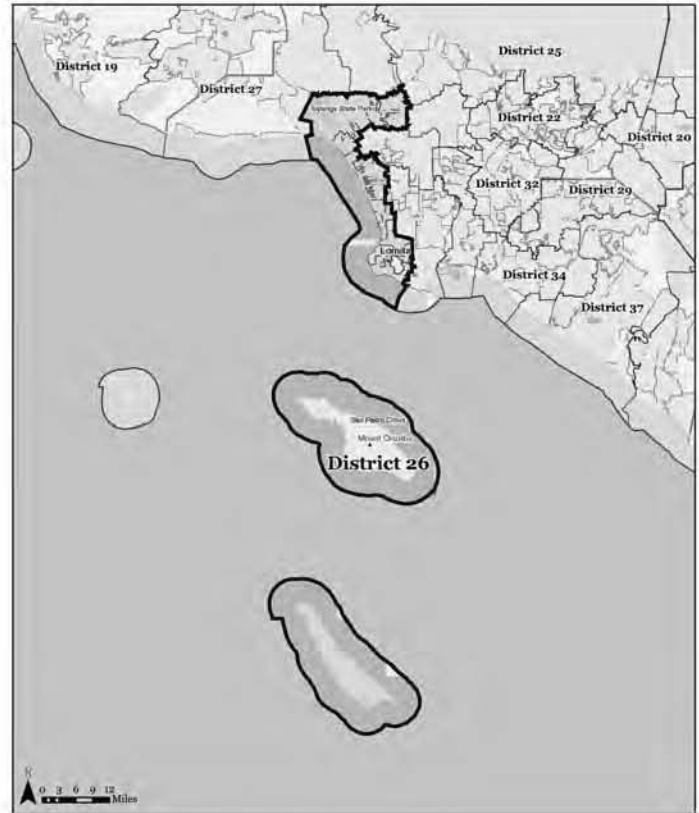
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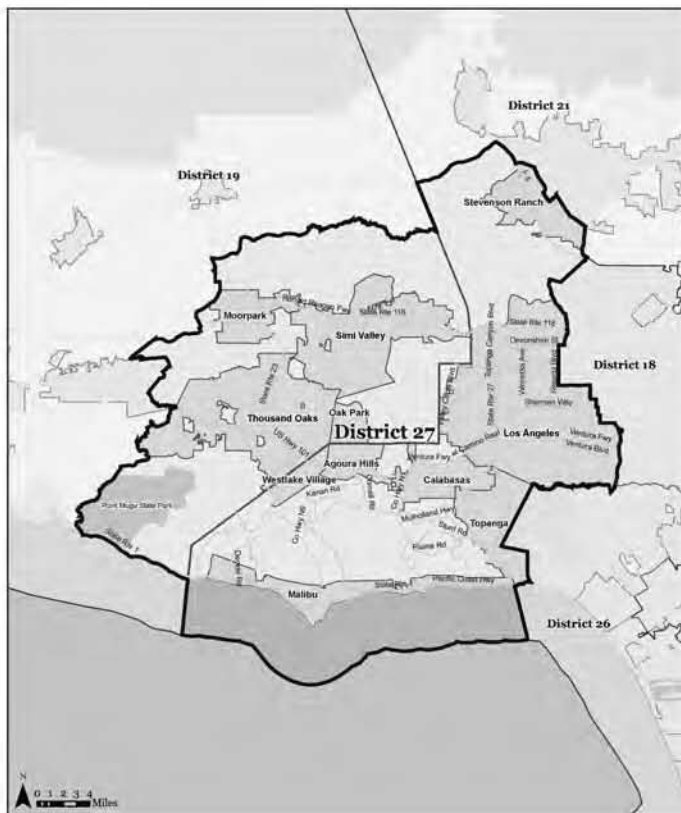
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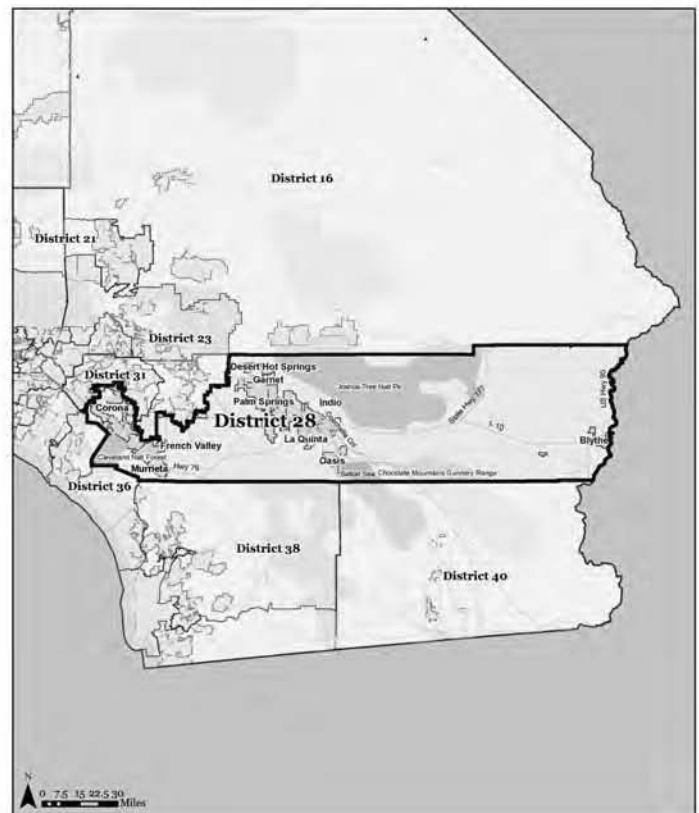
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California State Senate District 26

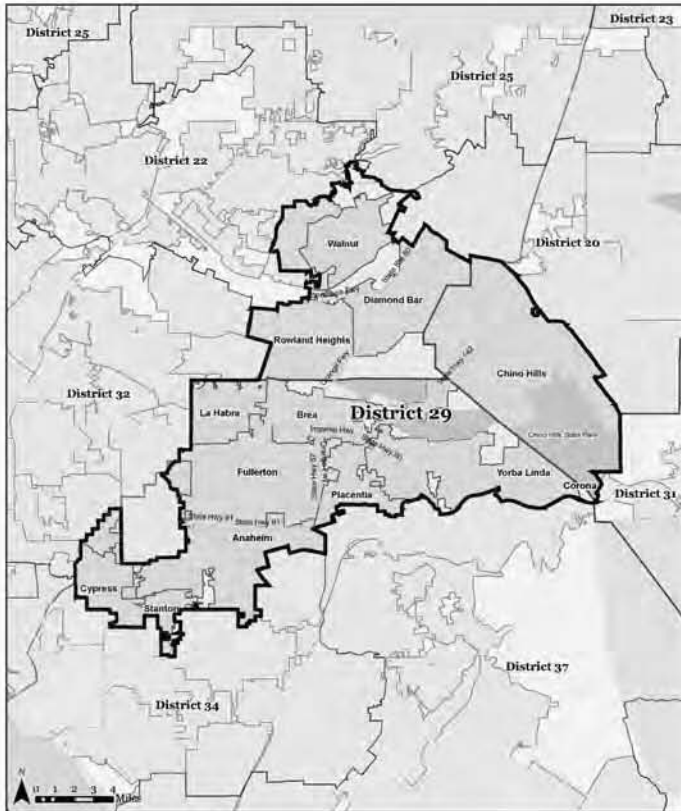


California State Senate District 27



California State Senate District 28

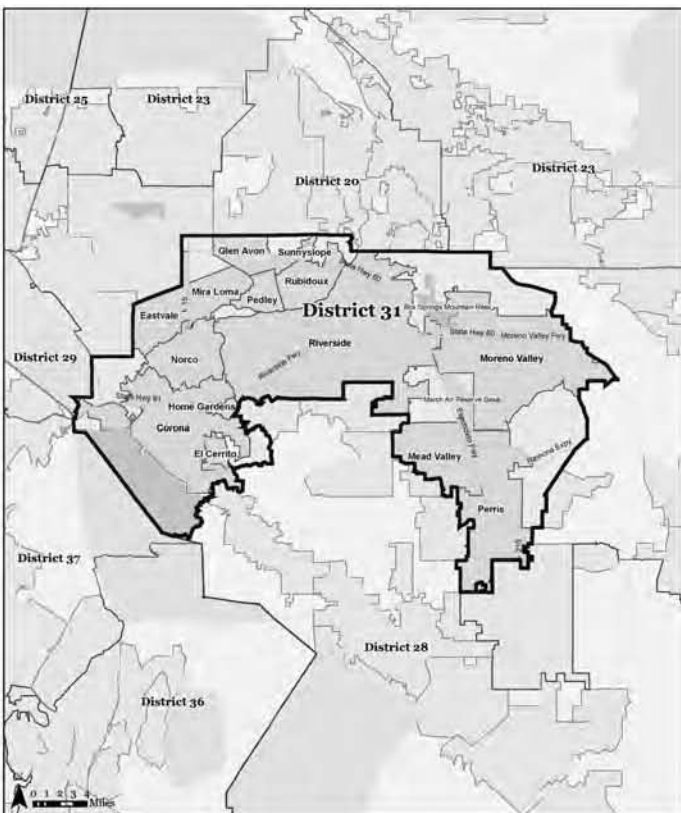




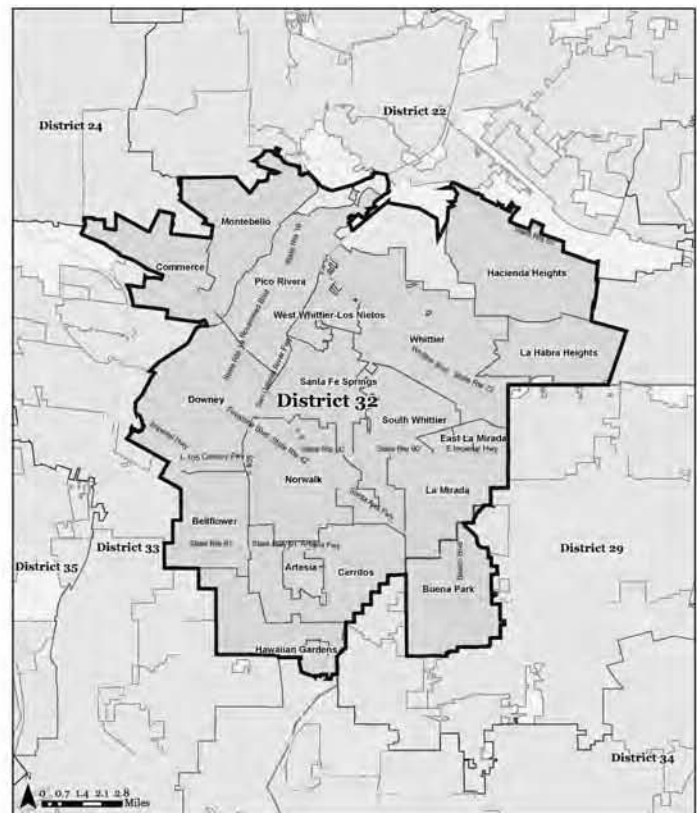
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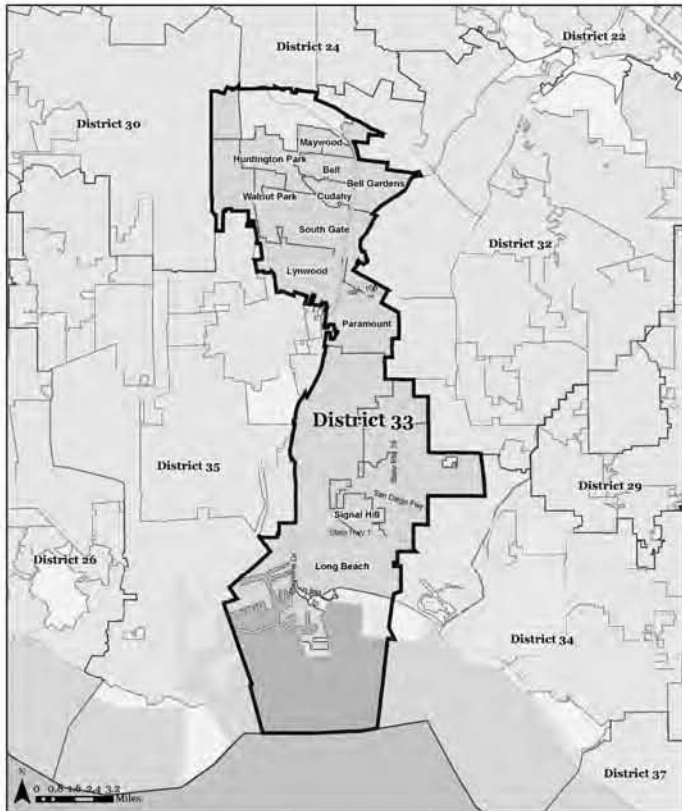
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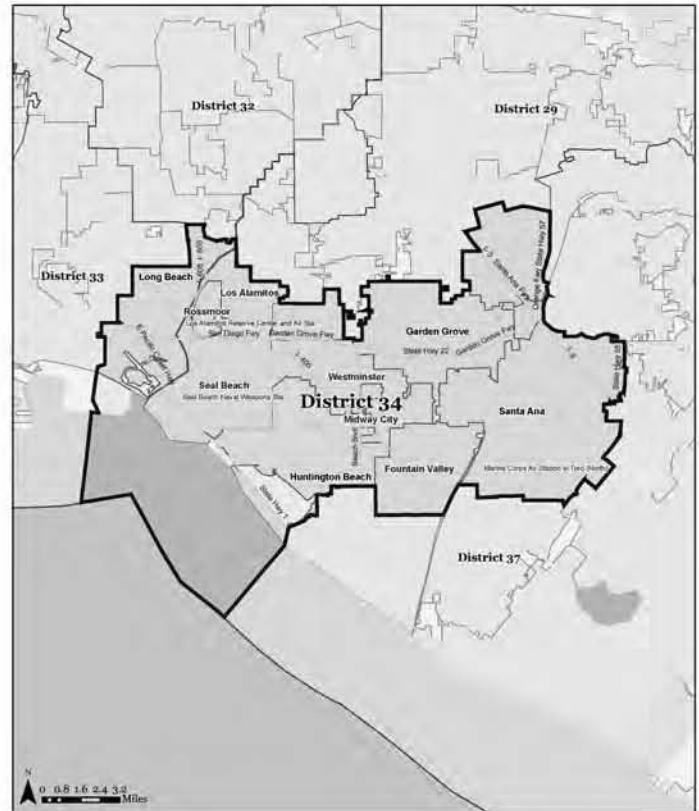
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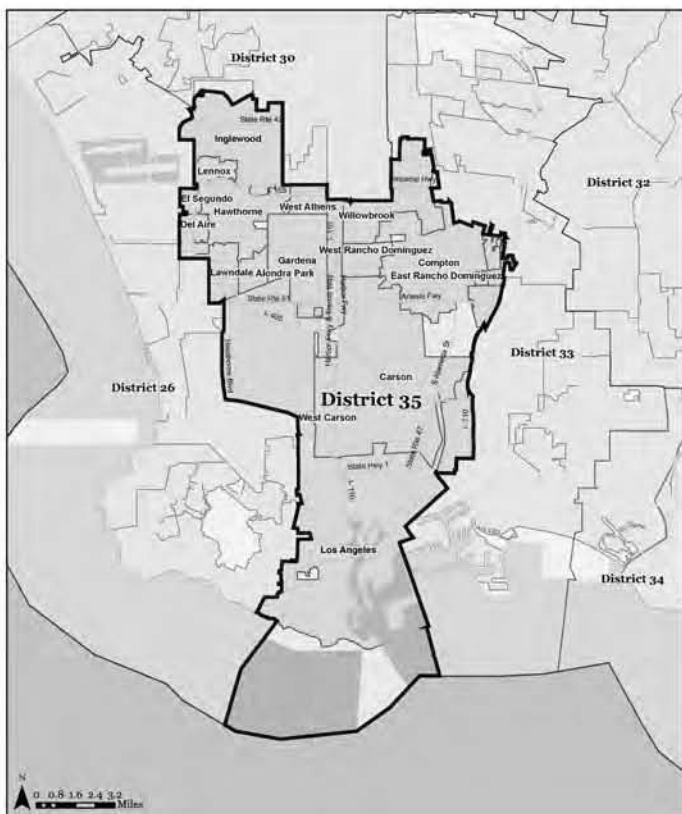
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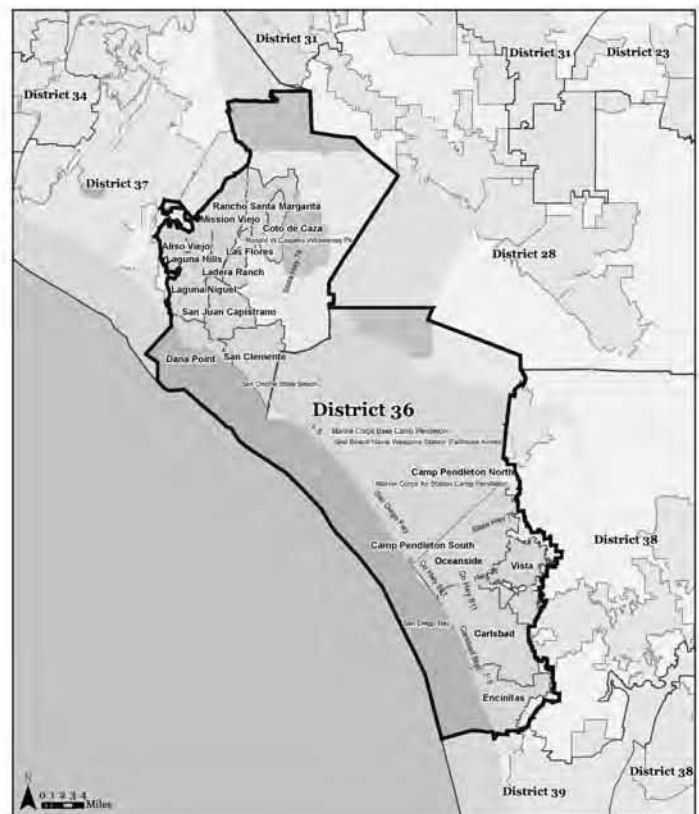
California State Senate District 33



California State Senate District 34

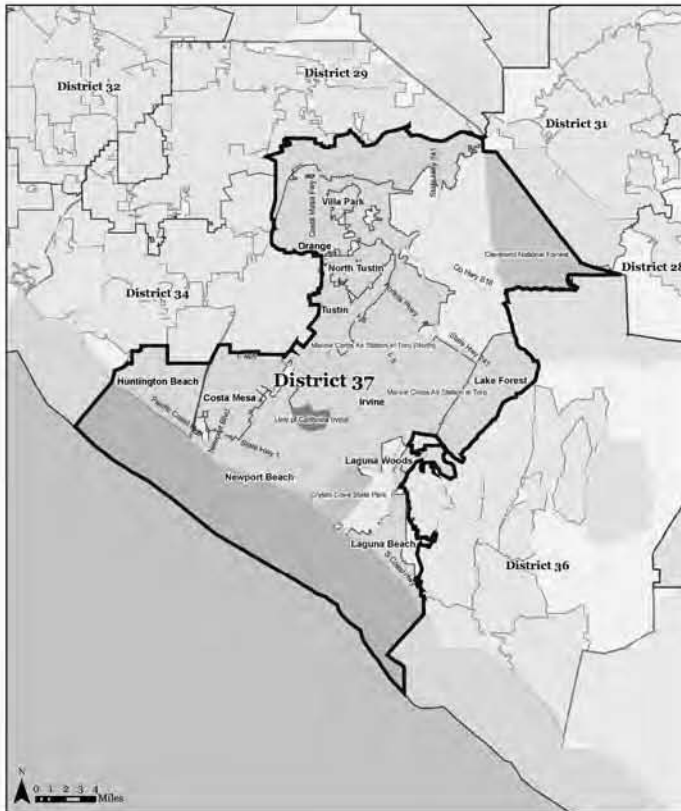


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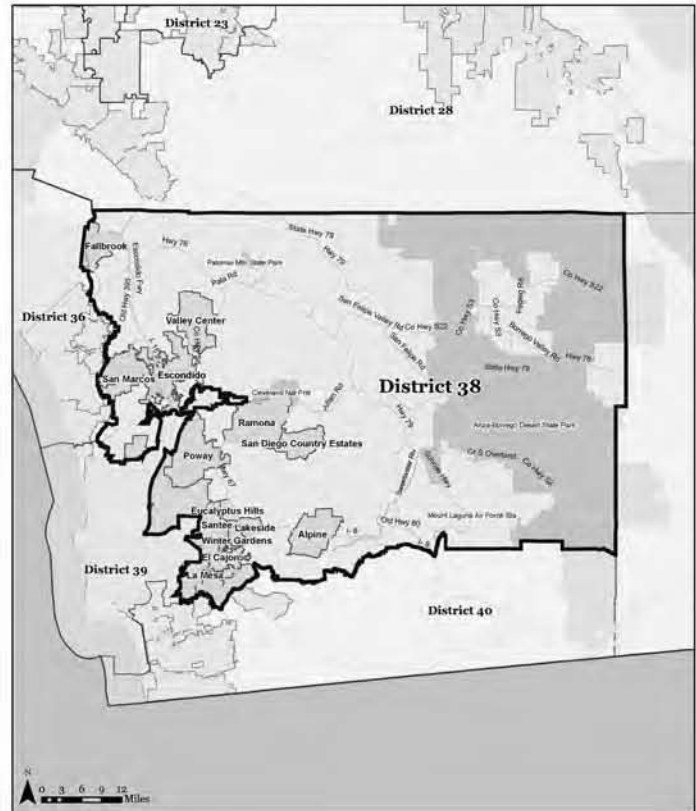


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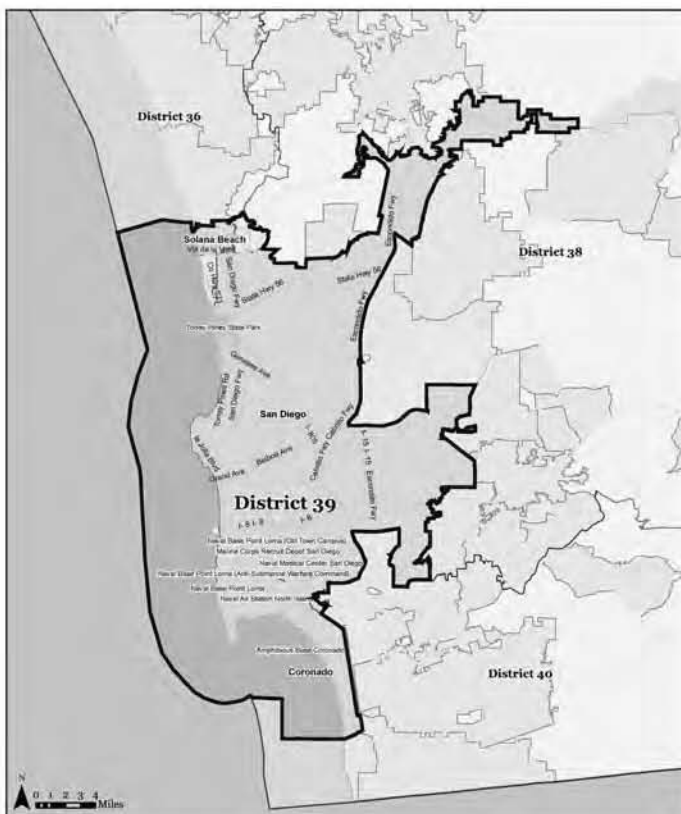




California State Senate District 37



California State Senate District 38



California State Senate District 39



California State Senate District 40